

REMARKS

I. Status of the Claims:

Upon entry of the present Amendment, Claims 1 and 4 will have been amended, Claims 2, 3, and 5-12 will have been canceled without prejudice or disclaimer, and Claims 1 and 4 will be pending. No new matter has been entered.

I. Drawing Objections:

The Examiner has objected to the drawings as failing to comply with 37 CFR § 1.83(a). Specifically, the Examiner requires that the claim limitation of “a second mirror and a second photoelectric conversion element corresponding to the mirror, a direction of light reflected by the first mirror is orthogonal to a direction of light reflected by the second mirror, and each of the incident angles of the light upon the first and second mirrors is approximately equal to a Brewster angle for the light” either be shown in the drawings or the feature canceled from the claims.

Applicants have amended the claims to obviate this objection. In particular, Applicants have canceled Claim 8 without prejudice or disclaimer.

Accordingly, the objection to the drawings is now moot and should be withdrawn.

II. Rejections Under 35 U.S.C. § 112:

Claims 2, 3, and 5 have been rejected under 35 U.S.C. § 112, second paragraph, on the basis that such claims are “indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.”

Applicants have amended the claims to obviate this rejection. Specifically, Applicant has canceled Claims 2, 3, and 5 without prejudice or disclaimer.

Accordingly, this rejection is now moot and should be withdrawn.

III. Rejection Under 35 U.S.C. § 102(e):

Claim 11 has been rejected under 35 U.S.C. § 102(e) as being unpatentable over US Patent 6,781,135 to Berger. Applicants traverse this rejection.

Applicants have canceled Claim 11 without prejudice or disclaimer to obviate this rejection.

Accordingly, the rejection under 35 U.S.C. § 102(e) should be withdrawn.

IV. Rejection Under 35 U.S.C. § 103(a):

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Berger in view of US Patent 6,389,107 Kantsyrev et al. (Kantsyrev). Claims 2-5 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Berger in view of Kantsyrev et al. as applied to claim 1, and further in view of Stuik et al. (Absolute Calibration of a Multilayer-based XUV Diagnostic, Nuclear Instruments & Methods in Physics Research A, Vol. 492, No. 1-2, October 11, 2002, pp. 305-316). Applicants traverse this rejection and respectfully submit that neither Berger, Kantsyrev, nor Stuik et al., either alone or in combination, include any specific teaching or suggestion that would have motivated one of ordinary skill in the art at the time the invention was made to modify the disclosure of Berger and arrive at the subject matter of Applicant's claims.

Amendment

Claims 2, 3, 5, and 8 have been canceled without prejudice or disclaimer. Claims 1 and 4 have been amended, *inter alia*, to limit the subject matter thereof by adding substantively the subject matter previously introduced in Claims 3 and 5. The apparatus for measuring EUV light distribution of pending Claims 1 and 4 are characterized in that “the plural light intensity detector units are arranged on the spherical surface of the stage having a spherical surface that has a center at the condensed point and being rotatable around an optical axis of the condenser mirror”.

Contrary to the Examiner’s comments, no where is it seen with the applied references of Berger, Kantsyrev, nor Stuik et al. where such references teach or suggest that “the plural light intensity detector units are arranged on the spherical surface of the stage having a spherical surface that has a center at the condensed point and being rotatable around an optical axis of the condenser mirror”. The applied reference to Stuik et al. neither discloses nor suggests a rotatable stage at all. As such, the subject matter of Applicants’ Claims 1 and 4 are distinguished over the applied references of Berger, Kantsyrev, nor Stuik et al., either alone or in combination.

Accordingly, the rejections under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

Applicants respectfully submit that the subject matter of Applicants’ Claims 1 and 4 are in condition for allowance and a notice to that effect is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5358.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5358.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 8, 2006

By: 

Brian W. Brown
Registration No. 47,265 for
James Hwa (Registration No. 42,680)
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101